

COUNCIL

NOV 19 2001

ADOPTED BY

Entered - 11/17/99 - sb
CL99L0756 - ALEXIS HOLMES

CLAIM OF: **FRED P. AVATO**
4616 Roswell Road
Apt. X-4
Atlanta, Georgia 30342

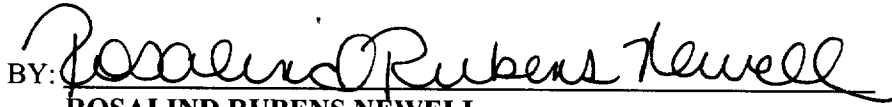
01- R-1812

For damages alleged to have been sustained as a result of vehicular damage due to a pothole on September 14, 1999 at 3345 Chatham Road, NW.

BY PUBLIC SAFETY AND
LEGAL ADMINISTRATION COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **FRED P. AVATO** the sum of **\$626.56** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for damages alleged to have been sustained as a result of vehicular damage due to a pothole on September 14, 1999 at 3345 Chatham Road, NW as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: 
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

FAVORABLE REPORT

COMM: _____

DATE: **NOV 19 2001**

CHAIR: 



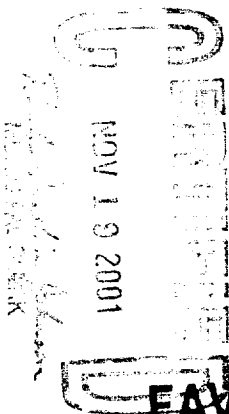
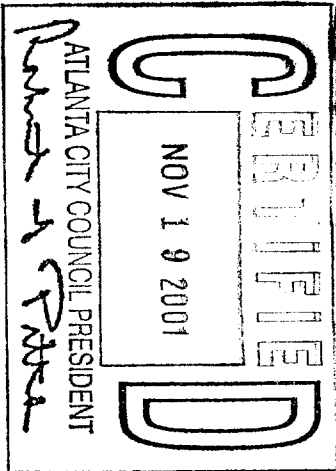




APPROVED

NOV 28 2001

DEPUTY SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-1812

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Fred P. Avato** in the sum of **\$626.56** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of **a vehicle damage due to a pothole on September 14, 1999 at 3345 Chatham, Road, NW** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Thanda Daughin Johnson
Municipal Clerk, CMC

**ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403**

NOV 19, 2001

NOV 28, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 99L0756

Date: October 24, 2001

Claimant /Victim FRED P. AVATO

BY: (Atty)(Ins. Co.)

Address: 4616 Roswell Road, Apt. X-4, Atlanta, Georgia 30342

Subrogation: Claim for Property damage \$ 696.56 Bodily Injury \$

Date of Notice: 10/27/99 Method: Written, proper X Improper

Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X

Date of Occurrence 09/14/99 Place: 3345 Chatham Road, NW

Department Public Works Division: Street Operations

Employee involved Disciplinary Action:

NATURE OF CLAIM: The claimant damaged his vehicle when he drove over a pothole in the roadway.

INVESTIGATION:

Statements: City employee Claimant Others Written Oral

Pictures Diagrams Reports: Police Dept Report Other

Traffic citations issued: City Driver Claimant Driver

Citation disposition: City Driver Claimant Driver

BASIS OF RECOMMENDATION:

Function: Governmental Ministerial X

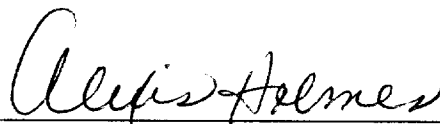
Improper Notice More than Six Months Other Damages reasonable X

City not involved Offer rejected Compromise settlement

Repair/replacement by Ins. Co. Repair/replacement by City Forces

Claimant Negligent City Negligent X Joint Claim Abandoned

Respectfully submitted,



INVESTIGATOR - ALEXIS HOLMES

RECOMMENDATION:

Pay \$ 696.56 Adverse Account charged: 1A01 X 2J01 2H01

Claims Manager:  Concur/date 10-24-01

Committee Action: Council Action

RCS# 3296
11/19/01
5:15 PM

Atlanta City Council

Regular Session

MULTIPLE

Favorable Claims; Public Safety Items
1 through 18
ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 1
EXCUSED: 0
ABSENT 3

Y McCarty	B Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	B Morris	Y Maddox	Y Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

01-R-1809
01-R-1810
01-R-1811
01-R-1812
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01-R-1852
01-R-1854

MULTIPLE